



# Journal of the House

State of Indiana

114th General Assembly

First Regular Session

Forty-sixth Meeting Day

Tuesday Morning

April 19, 2005


The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by Reverend Trish Lisa, First Meridian Heights Presbyterian Church, Indianapolis, the guest of Cathy Robinson, Executive Assistant to Speaker Bosma.

The Pledge of Allegiance to the Flag was led by Representative Ulmer.

The Speaker ordered the roll of the House to be called:

T. Adams	Klinker
Aguilera	Koch
Alderman	Kromkowski
Austin	Kuzman
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Bauer	J. Lutz
Becker	Mahern
Behning	Mays
Bischoff	McClain
Borders	Messer
Borror	Micon
Bottorff	Moses
Bright	Murphy
C. Brown	Neese
T. Brown	Noe
Buck	Orentlicher
Budak	Oxley
Buell	Pelath
Burton	Pflum
Cheney	Pierce
Cherry	Pond
Cochran	Porter
Crawford	Reske
Crooks	Richardson
Davis	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dobis	J. Smith
Dodge	V. Smith
Duncan	Stevenson
Dvorak	Stilwell
Espich	Stutzman
Foley	Summers
Friend	Thomas
Frizzell	Thompson
Fry	Tincher
GiaQuinta	Torr
Goodin	Turner
Grubb	Ulmer
Gutwein	VanHaften
E. Harris	Walorski
T. Harris	Welch
Heim	Whetstone
Hinkle	Wolkins
Hoffman	Woodruff
Hoy	Yount
Kersey	Mr. Speaker

Roll Call 540: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, April 20, 2005 at 10:00 a.m.

SAUNDERS

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 53

Representative Murphy introduced House Concurrent Resolution 53:

A CONCURRENT RESOLUTION to honor Guidant Corporation, Eli Lilly and Company, Emmis Communications, and Roche Diagnostics for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

*Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;*

*Whereas, Guidant Corporation made the list for the fifth time and is ranked as number 52;*

*Whereas, Guidant Corporation employs 8,706 people in the United States and is recognized for the active encouragement of employees to advance into management positions;*

*Whereas, Eli Lilly and Company made the list for the sixth time and is ranked as number 73;*

*Whereas, Eli Lilly and Company employs 23,224 people in the United States and is recognized for its profit-sharing which boosted employees' salaries by 10.2 percent in 2003;*

*Whereas, Emmis Communications is marking its first time on the list and is ranked as number 74;*

*Whereas, Emmis Communications employs 3,067 people in the United States and is recognized for the effective communication of their CEO, Jeff Smulyan, who encourages input from employees during question and answer sessions;*

*Whereas, Roche Diagnostics is marking its first time on the list and is ranked as number 97;*

*Whereas, Roche Diagnostics employs 8,431 people in the United States and is a leader in training its top management with a 10-month development program; and*

*Whereas, The success of the State of Indiana, the strength of our communities, and the overall vitality of American society depend upon employers such as Guidant Corporation, Eli Lilly and Company, Emmis Communications, and Roche Diagnostics which provide positive and successful workplace environments: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. The members of the Indiana General Assembly, the Senate concurring, do honor Guidant Corporation, Eli Lilly and Company, Emmis Communications, and Roche Diagnostics for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Guidant

Corporation, Eli Lilly and Company, Emmis Communications, and Roche Diagnostics.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Clark.

### House Concurrent Resolution 54

Representative Murphy introduced House Concurrent Resolution 54:

A CONCURRENT RESOLUTION to honor Guidant Corporation for its recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

*Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;*

*Whereas, Guidant Corporation has made the list for the fifth time and this year is ranked as number 52;*

*Whereas, Guidant Corporation employs more than 8,000 persons in the United States and is recognized for its active encouragement of employees seeking advancement into management positions;*

*Whereas, Guidant Corporation from the time of its initial public offering ten years ago has supported the people of the State of Indiana by dedicating itself to community and human service, culture, education, and healthcare through grant contributions to local organizations; and*

*Whereas, Guidant Corporation has provided lifesaving therapies that are used every twenty seconds of every day, and has treated more than twelve million patients around the world, and continues to sponsor clinical research that significantly influences the practice of cardiovascular medicine: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. The members of the Indiana General Assembly do honor Guidant Corporation for its recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Guidant Corporation.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Clark.

### House Concurrent Resolution 55

Representative Murphy introduced House Concurrent Resolution 55:

A CONCURRENT RESOLUTION to honor Roche Diagnostics for its recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

*Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;*

*Whereas, Roche Diagnostics is part of the Roche Group, a healthcare company with pharmaceuticals and diagnostics, that is celebrating its "100 Anniversary of Health Innovation in the U.S." this year, with the first U.S. Roche office being established in Manhattan, New York in 1905;*

*Whereas, With its rich history that stems back to 1967 as Biodynamics, then Boehringer Mannheim Corporation until 1998, Roche Diagnostics has grown to become a good corporate citizen and a leading force in support of the State of Indiana and the City of Indianapolis' Life Sciences Initiatives;*

*Whereas, Roche Diagnostics employs over 2,500 people at its North American Headquarters in Indianapolis;*

*Whereas, Roche Diagnostics is creating "Actionable Health*

*Information" by providing patients and their caregivers information that helps them live longer, healthier lives; and*

*Whereas, Roche Diagnostics is the number one in vitro diagnostics company in the United States, and a leader in diabetes care, with its ACCU-CHEK® blood glucose testing products and services: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. The members of the Indiana General Assembly do honor Roche Diagnostics for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Roche Diagnostics.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Clark.

### House Concurrent Resolution 59

Representative Murphy introduced House Concurrent Resolution 59:

A CONCURRENT RESOLUTION to honor Eli Lilly and Company for its recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

*Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;*

*Whereas, Eli Lilly and Company made the list for last six years;*

*Whereas, Eli Lilly and Company, which has been headquartered in Indianapolis for over 150 years, stands as one of Indiana's most successful corporations;*

*Whereas, Eli Lilly and Company is a world leader in the research, discovery, and manufacturing of innovative life-saving medicines with nearly \$2.7 Billion invested in research and development in 2004;*

*Whereas, Eli Lilly and Company employs over 17,000 people in Indiana, and its employees have contributed most generously over the decades through their philanthropy, community service, and hours of volunteer service to the citizens of Indiana;*

*Whereas, Eli Lilly and Company was recognized by Working Mother magazine in 2004 as "One of the Best Companies for Working Mothers", and this recognition has been given to Lilly for the past ten years;*

*Whereas, Science magazine listed Eli Lilly and Company as "One of the Top 10 Best Companies for Scientists" over the last three years;*

*Whereas, Eli Lilly and Company was recognized in 2002 as one of the "100 Best Corporate Citizens" by Business Ethics magazine; and*

*Whereas, Fortune magazine recognized Lilly this year as "One of America's Most Admired Companies": Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana House of Representatives congratulates Eli Lilly and Company for this outstanding recognition from Fortune magazine, as well as the dozens of other awards and recognitions over the years.

SECTION 2. That the Indiana House of Representatives extends its sincere appreciation to Eli Lilly and Company for calling Indiana its home, and for bringing the Answers That Matter to Indiana's citizens, and people all over the world.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Eli Lilly and Company.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Clark.

### House Concurrent Resolution 60

Representative Murphy introduced House Concurrent Resolution 60:

A CONCURRENT RESOLUTION to honor Emmis Communications for its recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

*Whereas, Fortune Magazine's top 100 Best Companies to Work For rankings are based on demographic makeup of the workplace, pay and benefits for employees, and job growth and revenues for the companies;*

*Whereas, Emmis Communications is marking its first time on the list and is ranked as number 74;*

*Whereas, Emmis Communications employs 3,067 people in the United States and is recognized for the effective communication of their CEO, Jeff Smulyan, who encourages input from employees during question and answer sessions; and*

*Whereas, Emmis Communications owns and operates 25 radio stations, 16 television stations, and city and regional magazines around the country - but is still based here in its hometown of Indianapolis where it owns WIBC 1070 AM, Real 97.1 FM, Radio Now 93.1, B 105.7, Network Indiana and Indianapolis Monthly magazine: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. The members of the Indiana General Assembly do honor Emmis Communications for their recognition in Fortune Magazine's list of 100 Best Companies to Work For in 2005.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Corporate Headquarters of Emmis Communications.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Clark.

### House Concurrent Resolution 56

Representative Crooks introduced House Concurrent Resolution 56:

A CONCURRENT RESOLUTION congratulating Washington High School on its victory in the Class 3A boys' basketball championship.

*Whereas, The Washington High School Hatchets won the 2004-2005 Indiana High School Athletic Association Class 3A boys' state basketball championship at Conseco Field House in Indianapolis;*

*Whereas, This victory marks the first state boys' basketball title for Washington High School since 1942;*

*Whereas, The Hatchets won the title with a last second, half-court shot in overtime by Luke Zeller, the Trester Award winner and leading scorer with 27 points, to defeat Plymouth 74-72;*

*Whereas, The Hatchets tied the Class 3A record with a fiery .692 shooting from the field, hitting 27 of 39 to equal Indianapolis Cathedral's effort in 1998;*

*Whereas, Senior forward Isaac Stoll finished with 16 points, hitting a 3A-best .500 from three-point range on 4 of 8 shooting;*

*Whereas, The victory gave retiring coach Dave Omer a perfect send-off, completing a 27-2 season with a state title;*

*Whereas, The Hatchets played an inspired game with the entire team contributing to the victory;*

*Whereas, Kyle Price, Kevin Decker, Brett Matteson, Bart Young, Joel McDonald, David Brashear, Jordan Winkler, Justin Smith, Luke Zeller, Ross Wade, Isaac Stoll, Tyler Zeller, and Bryan Bouchie, with their stupendous drive and energy, have proven to be a uniting force*

*in the community, as many residents of Washington attended the championship game;*

*Whereas, Washington Community Schools constructed the Hatchet House in 1967;*

*Whereas, The Hatchet House, with a capacity of 7,090, is the 14th largest gym in Indiana;*

*Whereas, Hoosier hysteria continues to thrive in this Daviess County community due to the great fans who have supported their Hatchets through their positive spirit;*

*Whereas, Washington High School has a history of great basketball players, including the following All-Stars: Hook Mangin (1941), Charles Harmon (1942), Jim Riffe (1942), Steve Bouchie (1979), Craig Neal (1993), Julie Helm (1995), and Luke Zeller (2005); and*

*Whereas, Victories by teams such as the Washington High School Hatchets are truly what Indiana legends are made of, and this legend will live on a long time in the hearts of the residents of Washington, Indiana, and of others around the state: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Washington High School boys' basketball team on the 2004-2005 Class 3A state basketball championship and acknowledges the many hours of hard work required to reach a level of excellence necessary to win a state championship. The members of the General Assembly also express their continued good wishes for the members and coaches of this remarkable team.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the members of the Washington Hatchets, head coach Dave Omer, assistant coaches Tony Barnard, Alan Bubalo, Les Wilson, and Kyle Cornelius, Principal Gary Puckett, and superintendent Dr. Tom Miller.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Hume.

### House Concurrent Resolution 57

Representative Crooks introduced House Concurrent Resolution 57:

A CONCURRENT RESOLUTION honoring Dave Omer.

*Whereas, After 40 years, Dave Omer is retiring;*

*Whereas, Dave Omer is a legend in Indiana coaching, but until this year, he had never won it all;*

*Whereas, The Washington Hatchets' victory over Plymouth High School in the Class 3A boys' basketball championship game changed that;*

*Whereas, Dave Omer can now retire on top of his game, something that few coaches are given a chance to do;*

*Whereas, Nominated for Indiana's Basketball Hall of Fame, Omer's overall 470-352 record includes a 148-95 slate at Washington;*

*Whereas, Since graduating from Clay High School in Webster County, Kentucky, and Western Kentucky University, Omer has meant much more to the young men he has coached than wins and losses, and Xs and Os;*

*Whereas, Dave Omer's career has lead him in many different directions, including New Harmony in Southern Indiana, Waldron High School in Shelby County (where sons Jon, now a computer specialist, and Jason, a chiropractor, were born), Whiteland, Boonville, Barr-Reeve, and finally Washington;*

*Whereas, Despite his dedication and obvious talent, Dave knows that without the love and support of his wife Wilda, his success would not have been possible; and*

*Whereas, Dave Omer is among a rare few coaches who are talented enough to last for decades, then bow out gracefully: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly wishes to congratulate Dave Omer on his victory in the Class 3A boys' basketball championship and to wish him and his wife happiness and contentment in retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Dave and Wilda Omer.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Hume.

### House Concurrent Resolution 58

Representative Crooks introduced House Concurrent Resolution 58:

A CONCURRENT RESOLUTION honoring Luke Zeller.

*Whereas, With only 1.8 seconds remaining in the Class 3A state basketball championship game, Washington High School was trailing Plymouth High School by one point;*

*Whereas, Washington guard Justin Smith inbounded the ball to Luke Zeller at halfcourt;*

*Whereas, Luke Zeller, a McDonald's All-American, dribbled once to his left and launched a shot from halfcourt;*

*Whereas, Luke Zeller's shot went in, giving the top-ranked Washington Hatchets a 74-72 win in overtime;*

*Whereas, Luke Zeller finished the game with 27 points, 11 assists, and nine rebounds, which was one rebound short of a triple double;*

*Whereas, Luke Zeller was awarded the highest honor given to an individual player by being named the 2005 Mr. Basketball for Indiana, receiving 101 of a possible 247 votes cast by coaches and members of the media;*

*Whereas, Luke Zeller was selected as the Arthur L. Trester Award winner for mental attitude;*

*Whereas, The Trester Award is given to the outstanding senior participant in each classification of the boys' basketball state finals who excels in mental attitude, scholarship, leadership, and athletic ability in basketball;*

*Whereas, In addition to this honor, Luke Zeller has received numerous awards and recognitions throughout his basketball career, including being named to the 2005 McDonald's All-American team; to the All-Tourney Team; All-State in 2002, 2003, and 2004; All-Sectional in 2002, 2003, and 2004; and All-Conference in 2002, 2003, and 2004; while serving as captain of his team since his sophomore year;*

*Whereas, Luke Zeller, who plans to attend the University of Notre Dame in the fall, is much more than an outstanding basketball player;*

*Whereas, Luke Zeller is an All-American Scholar who ranks No. 1 in his class of 175;*

*Whereas, Luke Zeller, whose grade point average is a perfect 4.0, will be coaledictorian at his graduation;*

*Whereas, In addition to his academic and athletic responsibilities, Luke Zeller makes time for his community by volunteering for Habitat for Humanity and Camp Illiana, by participating annually in the Dr. Seuss "Read Across America" initiative in elementary schools, and by acting as a leader and teacher for a teenage Bible study;*

*Whereas, Luke Zeller is a member of the Shepherd Lutheran Church and of the Fellowship of Christian Athletes; and*

*Whereas, Luke Zeller is an outstanding role model for the young people of Indiana; he has shown that an athlete can excel on the athletic field and in the classroom and in the community: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates Luke Zeller on an outstanding basketball career and an unforgettable game winning shot and wishes him continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Luke Zeller and his family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Hume.

### House Concurrent Resolution 61

Representative Reske introduced House Concurrent Resolution 61:

A CONCURRENT RESOLUTION honoring the Lapel High School boys' basketball team on its victory in the 2005 Class A boys' basketball state championship.

*Whereas, The Lapel High School Bulldogs returned to the boys' basketball state finals after a 65-year absence and came away with a victory;*

*Whereas, The Bulldogs defeated the Loogootee Lions by a score of 51-40 to bring home the Class A state boys' basketball championship trophy to Lapel High School;*

*Whereas, Lapel jumped out to a 5-0 lead and never trailed during the entire game;*

*Whereas, Junior guard J.R. Howell scored 16 points and was a perfect five for five from the field, four for four from three-point range, and two for two from the free throw line;*

*Whereas, Lapel set a Class A state finals record by holding Loogootee to 40 points;*

*Whereas, Four-year-starter Jason Holsinger was awarded the 2005 Arthur L. Trester Mental Attitude Award; and*

*Whereas, Athletics can play a major role in the development of our youth; striving for excellence in athletics helps to teach our children to always try to achieve their personal best in whatever they are doing: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Lapel High School boys' basketball team on its victory in the Class A boys' basketball state championship and wishes everyone continued success in the future.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the members of the team, managers, head coach, assistant coaches, principal, and superintendent.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Kenley.

### House Resolution 57

Representative C. Brown introduced House Resolution 57:

A HOUSE RESOLUTION honoring Mrs. Ardell R. Hanley.

*Whereas, Mrs. Ardell R. Hanley is a model citizen who is concerned about her family, her city, her neighborhood, and her church;*

*Whereas, Mrs. Ardell R. Hanley, the assistant precinct committee person in G-3-17, urges everyone to participate in governmental affairs, emphasizing the importance of registering to vote and exercising the right to vote on election day;*

*Whereas, Mrs. Ardell R. Hanley is affectionately known as the "neighborhood chef" because of her practice of visiting and preparing meals for the sick and shut-in members of the community;*

*Whereas, Mrs. Ardell R. Hanley is also the first person in her neighborhood to collect donations for bereaved family members when a death occurs;*

*Whereas, Mrs. Ardell R. Hanley is a committed and dedicated member of the First AME Church, serving on the Steward Board, planning programs for the missionary group and Courtesy Guild and singing in the choir; and*

*Whereas, Mrs. Ardell R. Hanley is a good and loving mother who dedicates her time and effort to helping her family and those in need: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives thanks Mrs. Ardell R. Hanley for her dedicated service to her community and her state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Mrs. Ardell R. Hanley.

The resolution was read a first time and adopted by voice vote.

### House Resolution 58

Representative Koch introduced House Resolution 58:

A RESOLUTION commemorating the 100th anniversary of the creation of Abe Martin.

*Whereas, For 25 years, "Abe Martin" spoke for Kin Hubbard in the Indianapolis News;*

*Whereas, Hubbard's daily quips were accompanied by sketches of Abe and his friends in action and were syndicated across the nation;*

*Whereas, Hubbard was born in Bellefontaine, Ohio, and later settled in Indianapolis;*

*Whereas, Hired by the Indianapolis News in 1891, Hubbard's first stint at the paper lasted only three years due to the hiring of a new managing editor who wanted, according to Hubbard, "a real artist who could draw anything";*

*Whereas, Upon his return to the Indianapolis News in the fall of 1901, Hubbard became well-known for his caricatures of political figures, particularly Indiana legislators;*

*Whereas, In 1904, while traveling on trains during campaign trips by Democratic presidential candidate William Jennings Bryan and Republican vice presidential candidate Charles Fairbanks, Hubbard gathered more material for his cartoon;*

*Whereas, After trying names such as Seth Martin, Steve Martin, and Abe Hulsizer, Hubbard finally decided on Abe Martin;*

*Whereas, On December 17, 1904, Abe Martin made his first appearance;*

*Whereas, In the beginning, Abe Martin belonged to no particular locality, but on February 3, 1905, Abe told us that "I'm goin' ter move ter Brown County Tewmorrow", and the next day he was depicted in a wagon piled high with household goods;*

*Whereas, The reason for the move was that Brown County provided Hubbard with the picturesque surroundings that lent themselves to his type of humorous exaggeration;*

*Whereas, Hubbard's cartoons played a major role in attracting the attention of artists and tourists to Brown County; and they, in turn, have made the area world famous;*

*Whereas, Hubbard, whose humor is as timely now as it was in its heyday, was recognized by Will Rogers as "America's greatest humorist"; and*

*Whereas, In dedication of the memory of Kin Hubbard and Abe Martin, the Department of Natural Resources built the Abe Martin Lodge in 1932 on Kin Hubbard Ridge, naming the cottages in the lodge after Hubbard's principal characters: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives commemorates the 100th anniversary of the creation of "Abe Martin" and acknowledges the role Kin Hubbard played in focusing the attention of the citizens of Indiana and the world on the beauty of Brown County.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Abe Martin Lodge in Brown County State Park, the Brown County Chamber of Commerce, the Brown County Arts & Cultural Commission, and the Brown County Commissioners.

The resolution was read a first time and adopted by voice vote.

### House Resolution 59

Representative Richardson introduced House Resolution 59:

A HOUSE RESOLUTION to recognize the accomplishments of Bobby A. Mills.

*Whereas, Bobby A. Mills is an esteemed resident of Noblesville, Indiana;*

*Whereas, Bobby A. Mills' love for the game of baseball began while playing little league ball in the mid 1940s;*

*Whereas, Bobby A. Mills played legion ball as a 12-year-old and as a teenager played for the "Adult Leagues" all over the State of Kentucky;*

*Whereas, Bobby A. Mills' stellar High School career allowed him to move on to play 2nd base at Eastern Kentucky University;*

*Whereas, Bobby A. Mills continued to play ball on the semi-pro circuit throughout the Midwest and Southeast;*

*Whereas, Bobby A. Mills' love of baseball is only superceded by his dedication to his family and his priority to his wife, Michéy, his children, Bryan, Kent, and Della and his twelve grandchildren;*

*Whereas, Bobby A. Mills taught many children the game of baseball and coached numerous teams to local and state titles;*

*Whereas, After numerous moves due to his career in sales, the Bobby A. Mills Family made their last move to Noblesville, Indiana where he continued to coach and teach the game he loves;*

*Whereas, Under Bobby A. Mills' leadership an eight-field little league facility for the Noblesville community was created; and*

*Whereas, Bobby A. Mills dedication to his community, and especially the kids within that community, provides an outstanding example for all Hoosiers to live by: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives does honor and recognize the accomplishments of Bobby A. Mills.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Bobby A. Mills.

The resolution was read a first time and adopted by voice vote.

### House Resolution 60

Representative Stevenson introduced House Resolution 60:

A HOUSE RESOLUTION recognizing the Highland Little League 12-year-old All-Star team.

*Whereas, The Highland Little League 12-year-old All-Star team captured the Indiana State Championship with a 1-0 victory over South Bend-East Side;*

*Whereas, The July 26, 2004, championship victory marked the third state championship for a Highland Little League team;*

*Whereas, The program won the 1970 U.S. title and the 1975 state title;*

*Whereas, Pitcher Ken Mahala, Jr. scored the game's only run, pitched a two-hitter, and struck out ten for the victory;*

*Whereas, As the Indiana state champions, the Highland All-Stars earned the right to participate in the Great Lakes Regional, including state champions from Illinois, Ohio, Kentucky, Michigan, and Wisconsin, where they were runners-up;*

*Whereas, The Highland Little League championship was the result of the efforts of a dedicated group of 13 outstanding young men, their coaches and manager, and the loving parents and grandparents who have given their time and efforts: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates the Highland 12-year-old All-Stars on their victory in the Indiana State Championship game and wishes them continued success in the future.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Mike Bremer, Kevin Stiglitz, Kenny Mahala, Austin Evenhouse, John Livingston, Michael Hanchar, Matt Spretnjak, D.J. Maginot, Brian Geissler, Tariq Suboh, Jordan Raveslout, Scott Pupilava, Nick Kovacich, coaches Jeff Stiglitz and Jim Pupilava, and manager Ken Mahala.

The resolution was read a first time and adopted by voice vote.

### House Resolution 61

Representative Austin introduced House Resolution 61:

A HOUSE RESOLUTION honoring Jodi Howell, the 2005 Indiana Miss Basketball.

*Whereas, Jodi Howell was selected as the 2005 Indiana Miss Basketball, receiving 64 of the 186 votes cast by high school girls basketball coaches and members of the media;*

*Whereas, As Miss Basketball, Jodi Howell will have the honor of wearing No. 1 on her jersey during the Indiana-Kentucky All-Star games;*

*Whereas, Jodi Howell will graduate from Alexandria High School in Anderson this spring and is headed for Purdue University in the fall;*

*Whereas, Jodi Howell scored 2,026 points, ranking her 17th in Indiana history despite missing much of her junior season with a knee injury, and averaged 27.7 points, 4.2 steals, and 5.9 rebounds per game in her career;*

*Whereas, Jodi Howell is the all-time leading scorer for Alexandria High School's girls basketball team;*

*Whereas, Jodi Howell credits much of her success to her coach and father Jon Howell;*

*Whereas, Jon Howell has been coaching at Alexandria since before his daughter was born and says that she naturally picked up the game; and*

*Whereas, Excellence in athletics, like excellence in academics, deserves special recognition: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates Jodi Howell on her selection as the 2005 Miss Basketball for the state of Indiana and wishes her success at Purdue University.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Jodi Howell and her family.

The resolution was read a first time and adopted by voice vote.

Representative Borders, who had been excused, was present. Representative Bauer was excused.

### MOTIONS TO CONCUR IN SENATE AMENDMENTS

#### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1078.

HOFFMAN

Roll Call 541: yeas 87, nays 0. Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that the House reconsider its actions whereby it dissented from the Senate amendments to Engrossed House Bill 1137 and that the House now concur in the Senate amendments to said bill.

MURPHY

Roll Call 542: yeas 88, nays 0. Motion prevailed.

### REPORTS FROM COMMITTEES

#### COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1262 because it conflicts with HEA 1003-2005 without properly recognizing the existence of HEA 1003-2005, has had Engrossed House Bill 1262 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1262 be corrected as follows:

Page 1, line 1, delete "P.L.1-2004," and insert "P.L.4-2005,".

Page 1, line 2, delete "SECTION 1, AND AS AMENDED BY P.L.23-2004, SECTION 1," and insert "SECTION 21,".

Page 1, line 3, delete "CORRECTED AND".

Page 3, between lines 17 and 18, begin a new line block indented and insert:

"(29) An emergency rule adopted by the board of the Indiana economic development corporation under IC 5-28-5-8.".

Page 3, line 18, delete "(29)" and insert "(30)".

Page 4, line 8, reset in roman "and except as provided in".

Page 4, line 9, delete "subsection (j)," and insert "subsections (j) and (k),".

Page 4, line 11, reset in roman "(a)(25), (a)(26),".

Page 4, line 12, reset in roman "or (a)(28),".

Page 4, line 13, after "period." insert "The extension period for a rule adopted under subsection (a)(29) may not exceed the period for which the original rule was in effect.".

Page 4, reset in roman lines 15 through 16.

Page 4, line 17, reset in roman "extension periods.".

Page 4, line 24, delete "(a)(29)" and insert "(a)(30)".

Page 4, reset in roman lines 30 through 31.

Page 4, between lines 31 and 32, begin a new paragraph and insert: "(k) A rule described in subsection (a)(29) expires on the expiration date stated by the board of the Indiana economic development corporation in the rule.".

(Reference is to EHB 1262 as printed March 11, 2005.)

WHETSTONE, Chair

PELATH, R.M.M.

KUZMAN, Author

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 634 because it conflicts with HEA 1219-2005 without properly recognizing the existence of HEA 1219-2005, has had Engrossed Senate Bill 634 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 634 be corrected as follows:

Page 1, line 1, after "27-4-1-4" insert ", AS AMENDED BY HEA 1219-2005, SECTION 2,".

Page 7, line 14, after "IC 27-1-22-25" insert ",".

Page 7, line 14, delete "or".

Page 7, line 14, after "IC 27-1-22-26" insert ", or IC 27-1-22-26.1".

(Reference is to ESB 634 as printed March 18, 2005.)

WHETSTONE, Chair

PELATH, R.M.M.

HOFFMAN, Sponsor

Report adopted.

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed Senate Enrolled Acts 13, 15, 125, 200, 209, 223, 285, 326, 373, 376, 442, 472, 503, 523, 527, 566, 568, 569, 611, and 612 on April 19.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****MESSAGE FROM THE GOVERNOR**

Mr. Speaker and Members of the House: On April 19, 2005, I signed into law House Enrolled Acts 1069, 1126, 1219, 1302, 1358, 1432, 1580, and 1594.

MITCHELL E. DANIELS, JR.  
Governor

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 89 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Jackman, Chair; and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1073:

Conferees: Riegsecker and Broden

Advisors: Merritt and Bowser

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1112:

Conferees: Long and Lanane

Advisors: C. Lawson and Broden

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1198:

Conferees: Kenley and Rogers

Advisors: Lubbers and Sipes

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1200:

Conferees: C. Lawson and S. Smith

Advisors: Harrison and Rogers

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following

Senators a conference committee to confer on Engrossed House Bill 1230:

Conferees: Server and Lanane

Advisors: Clark and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1306:

Conferees: Server and Simpson

Advisors: Miller and Skinner

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1315:

Conferees: Weatherwax and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1329:

Conferees: Server and L. Lutz

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1346:

Conferees: Harrison and Craycraft

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1365:

Conferees: Weatherwax and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1394:

Conferees: M Young and Skinner

Advisors: Harrison and Bowser

MARY C. MENDEL  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House

Bill 1407:

Conferees: C. Lawson and Breaux

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1431:

Conferees: Weatherwax and Lewis  
Advisors: Hershman and Hume

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1453:

Conferees: Clark and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1649:

Conferees: Weatherwax and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1666:

Conferees: Jackman and Lewis

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1765:

Conferees: Weatherwax and Lewis  
Advisors: Waterman and Skinner

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 227 and 422.

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1335.

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I hereby transmit Senate Enrolled Acts 140, 467, 487, and 538 for signature.

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 55, 56, 57, 58, 60, and 61 and the same are herewith returned to the House.

MARY C. MENDEL  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 64 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:35 p.m. with the Speaker in the Chair.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 327	Conferees: Espich and Grubb
	Advisors: Woodruff and Kuzman
ESB 382	Conferees: Alderman and Kuzman
	Advisors: Whetstone and Bottorff
ESB 536	Conferees: T. Harris and Stilwell
	Advisors: Borror and Cheney

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1501	Conferee: VanHaaften replacing Kuzman
	Advisor: Kuzman replacing Bardon

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE PRESIDENT OF THE SENATE

Mr. Speaker and Members of the House: I have on the 19th day of April, 2005, I signed House Enrolled Acts 1008, 1052, 1217, 1224, 1288, 1325, 1398, and 1736.

REBECCA S. SKILLMAN  
President of the Senate

Pursuant to House Rule 158, conference committee meetings were announced.

On the motion of Representative Bischoff, the House adjourned at 5:40 p.m., this nineteenth day of April, 2005, until Wednesday, April 20, 2005, at 10:00 a.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives